

IN RE: PETITION FOR ZONING VARIANCE
NE/corner Evergreen Drive
and Orchard Drive
(1705 Evergreen Drive)
13th Election District
7th Councilmanic District
Joseph D. Morris, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 13'5" for a proposed addition as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Joseph Morris, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of June, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 13'5" for a proposed addition, in accor-

dance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment. The addition shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-450-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 13023.C.1. TO REPAIR A REAR YARD SETBACK OF 17'11" 5 in.

in lieu of the required 30 Ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See Attached Copy

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 50339

DATE 3-10-88 ACCOUNT R-01-615-000

RECEIVED FROM Joseph D. Morris

AMOUNT \$ 35.00

FOR Repair of Rear Yard Variance Elyse E.

8 128*****35001 01147

VALIDATION OR SIGNATURE OF CARRIER

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Address

City and State

Signature

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

City and State

Name

Address

City and State

Attorney's Telephone No.

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of 1988, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be held before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 14th day of JUNE, 1988, at 10 o'clock

P.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County.

(over)

CLAIMED HARDSHIPS

1. While parked on the street, our vehicles have been subjected to accident damage, vandalism, and theft of parts. The proposed workshop will allow us to use our garage for off street parking.
2. The Wise Avenue Volunteer Fire Department parking lot is located less than 50 feet east of my property, with ingress/egress off Orchard Drive. On many occasions when social activities are conducted in the fire hall, vehicular traffic overflows from the parking lot onto Orchard Drive and Evergreen Drive, making it impossible for me to park my vehicles in the proximity of my home. The proposed workshop will provide adequate offstreet parking for my vehicles in my garage.
3. Since it is impractical to build a cellar workshop because of the high water table and the dampness which would damage power tools. We are requesting a zoning variance to build a workshop at the side of our house next to the side of 8300 Orchard Drive. Our house doesn't have a back yard since we are located on a corner we have two side yards one at 1703 Evergreen Drive and the other at 8300 Orchard Drive.

Joseph D. & Florence M. Morris
1705 Evergreen Drive
Baltimore County, Maryland 21222
(301)-288-9293

3/9/88

ZONING DESCRIPTION

Beginning on the northeast corner of Evergreen Drive and Orchard Drive. Being lots 424 and 425 on the plat of Rosewald Beach Book 10, folio 88 containing 7012 square feet in the 12th election district also known as 1705 Evergreen Drive., Baltimore, Md. 21222.

Owners: Joseph D. Morris & Florence M. Morris
Address: 1705 Evergreen Drive Balto. Md 21222
Lot Size: 7012 Sq. Ft.
District: 12
Zoned: D.R. 5.5
Subdivision: Rosewald Beach
Lot: 424, 425
Book: 10
Folio: 88

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

April 14, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland; as follows:

Petition for Zoning Variance
CASE NUMBER: 88-450-A
NE/corner Evergreen Drive and Orchard Drive
(1705 Evergreen Drive)
13th Election District - 7th Councilmanic District
Petitioner(s): Joseph D. Morris, et ux
HEARING SCHEDULED: 10:00 A.M., JUNE 14, 1988 at 10:00 P.M.

Variances to permit a rear yard setback of 13'11" 5 in. in lieu of the required 30 Ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Mr. & Mrs. Joseph D. Morris
File

Joseph D. and Florence M. Morris
1705 Evergreen Drive
Baltimore, MD 21222
April 21, 1988

RECEIVED
APR 25 1988
ZONING OFFICE

J. Robert Haines
Baltimore County Zoning Commissioner
Office of Planning and Zoning
Towson, MD 21204

Dear Mr. Haines,

I am writing today to request an earlier date for the variance in which I petitioned. In reference to case number: 88-480-A, I am scheduled for a hearing on June 8, 1988. I feel my reasons for an earlier hearing should be considered.

Already the season for parties, weddings and other affairs has started. The Wise Avenue Volunteer Fire Department houses many of these events. This past weekend a party held there resulted in cars parked up and down my street. Later into the party, disorderly guests began fighting and causing commotion in the street, resulting in people falling all over the neighborhood cars. The incidence required the help of the Baltimore County Police Department to resolve.

With this type of action taking place, I ask that you consider my plea for an earlier hearing date. Any effort is greatly appreciated.

Sincerely,
Joseph D. Morris

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

May 10, 1988

Mr. Joseph D. Morris
1705 Evergreen Drive
Baltimore, Maryland 21222

RE: Case No. 88-480A
Scheduling Hearing Date Earlier

Dear Mr. Morris:

Thank you for your letter of April 25, 1988 to J. Robert Haines, Zoning Commissioner requesting an earlier hearing date, which has been referred to me for reply.

Your reasons for requesting an earlier hearing date and the hardships claimed appear to be valid reasons for this office to afford you every possible consideration regarding an expedient hearing and subsequent decision. I can assure you, that the Zoning Commissioner is dedicated to providing you with the earliest possible hearing date on the docket considering the enormous workload demands on this office and compliance with the zoning law.

It is unfortunate, that at this late time frame in the processing schedule, that there are no available time slots for a hearing earlier than your assigned date. Even if there would be time available on the docket, and this office would receive a request for an earlier hearing for an extreme emergency reason such as loss of residence due to fire, displacement, or other catastrophe. There are required time frames and minimum processing times necessary to comply with the zoning law including posting and advertising.

I regret any inconvenience that this assigned date would cause you, and I would emphasize that you have the earliest possible date at this time in the scheduling procedure.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

cc: W. Carl Richards, Jr.
Zoning Coordinator

WCR,jr.:dt
cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

June 13, 1988

Mr. & Mrs. Joseph D. Morris
1705 Evergreen Drive
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
NE/corner Evergreen Drive and Orchard Drive
13th Election District; 7th Councilmanic District
Case No. 88-480-A

Dear Mr. & Mrs. Morris:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs
Enclosure
cc: People's Counsel
File

CPS-000

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

April 14, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 80-480-A
NEC Evergreen Drive and Orchard Drive
(1705 Evergreen Drive)
12th Election District - 7th Councilmanic
Petitioner(s): Joseph D. Morris, et al
HEARING SCHEDULED: WEDNESDAY, JUNE 8, 1988 at 2:00 p.m.

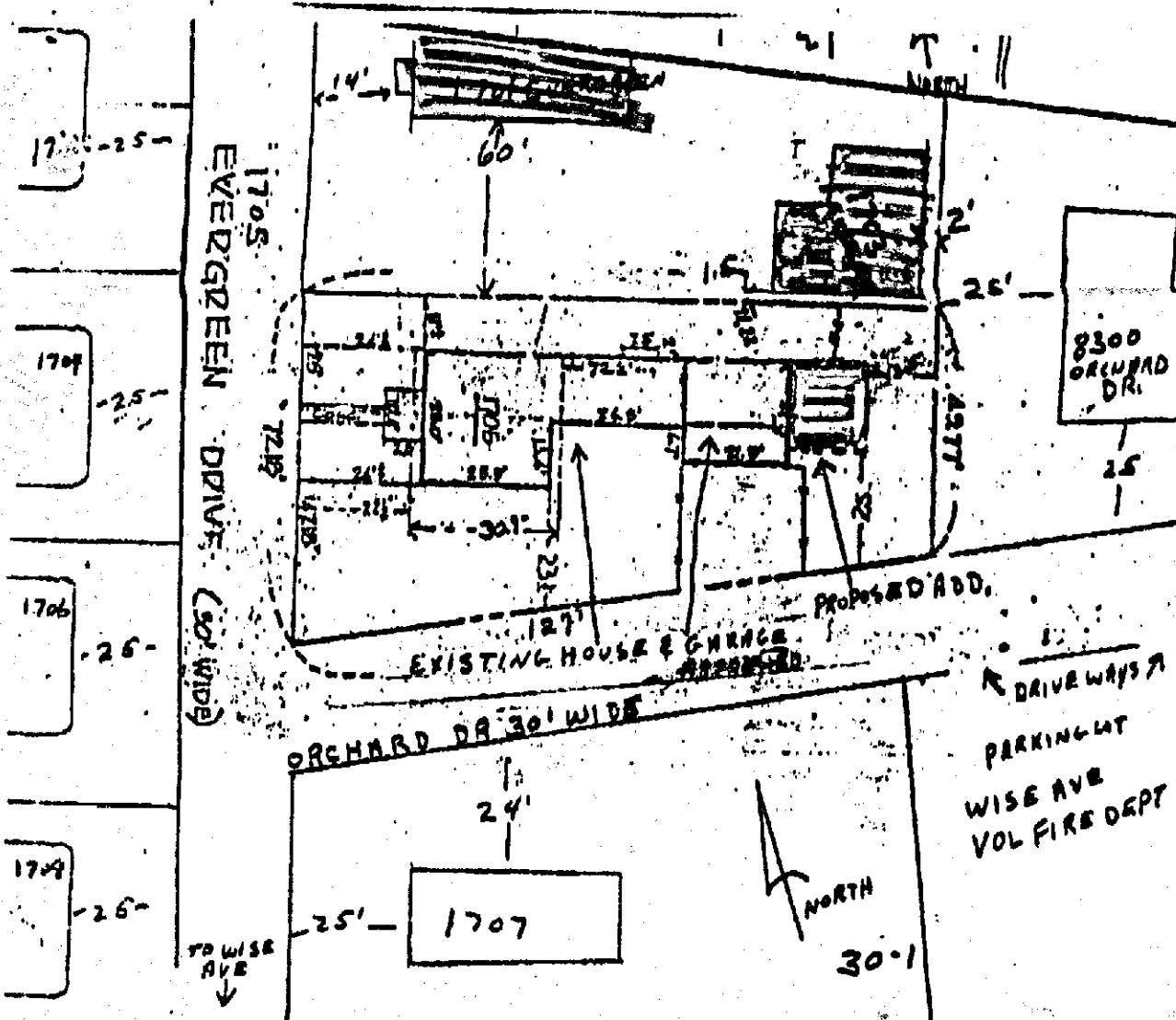
Variance to permit a rear yard setback of 13 ft. 8 in. in lieu of the required 30 ft.
To build a 15' x 18' workshop on the side of the existing garage

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

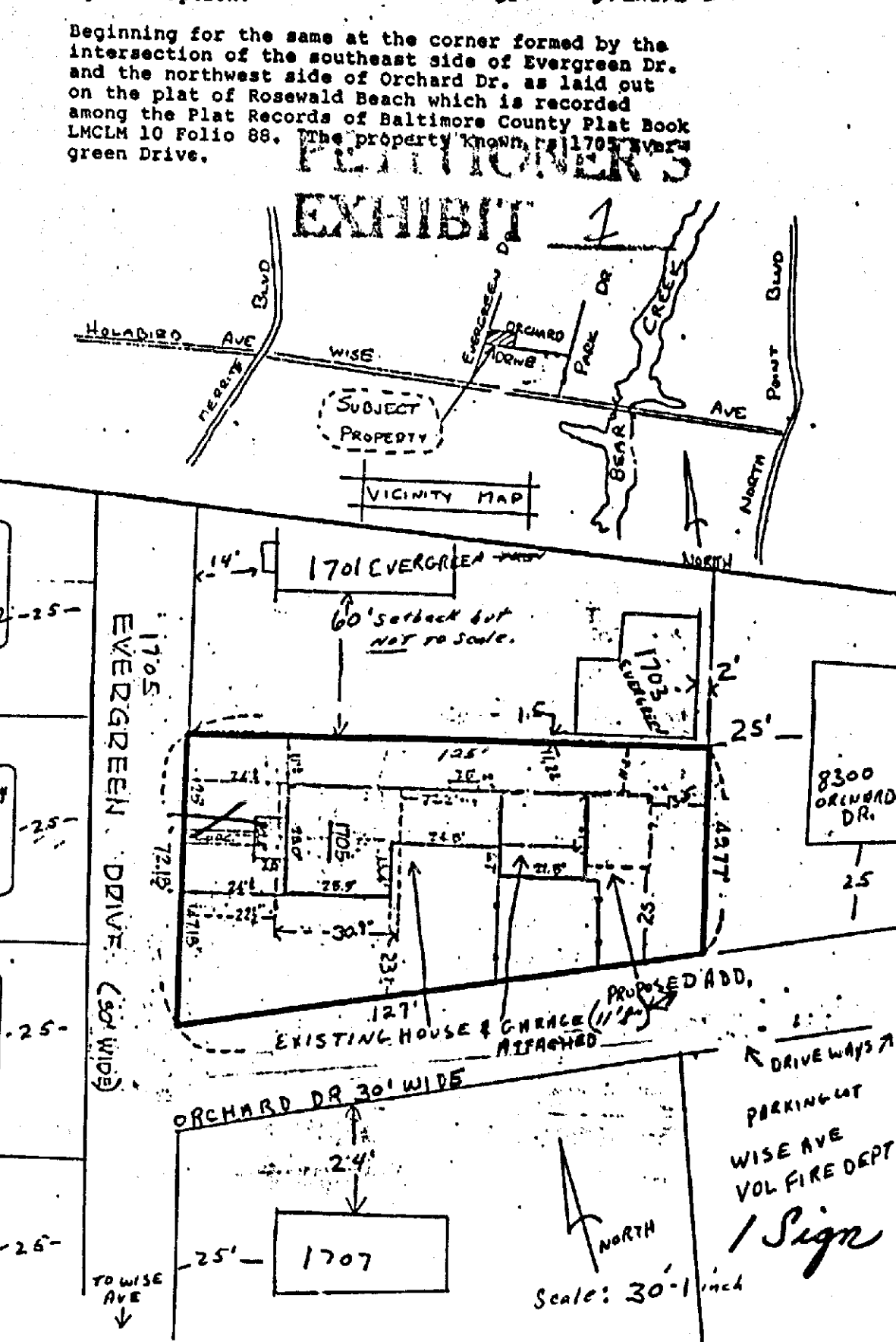
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Joseph D. Morris
File

I have no objections to Mr. MORRIS'S plans to build a second floor workshop on his building that is under construction at this time

Mr. & Mrs. John Butler
JOHN L. BUTLER
1705 Evergreen Dr.
Baltimore Md. 21222



PROPERTY DESCRIPTION FOR ZONING VARIANCE
Owners: Joseph D. & Florence M. Morris
Lot Size: 7012 Sq. Ft. 125/127ft X 72.18/49.77 ft
District: 12
Zoned: D.R. 5.5
Subdivision: Rosewald Beach
Lot Numbers: 424, 425
Liber LMCLM 10 Folio 88 Book 10
Beginning for the same at the corner formed by the intersection of the southeast side of Evergreen Dr. and the northwest side of Orchard Dr. as laid out on the plat of Rosewald Beach which is recorded among the Plat Records of Baltimore County Plat Book LMCLM 10 Folio 88. The property known as 1705 Evergreen Drive.



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

April 14, 1988

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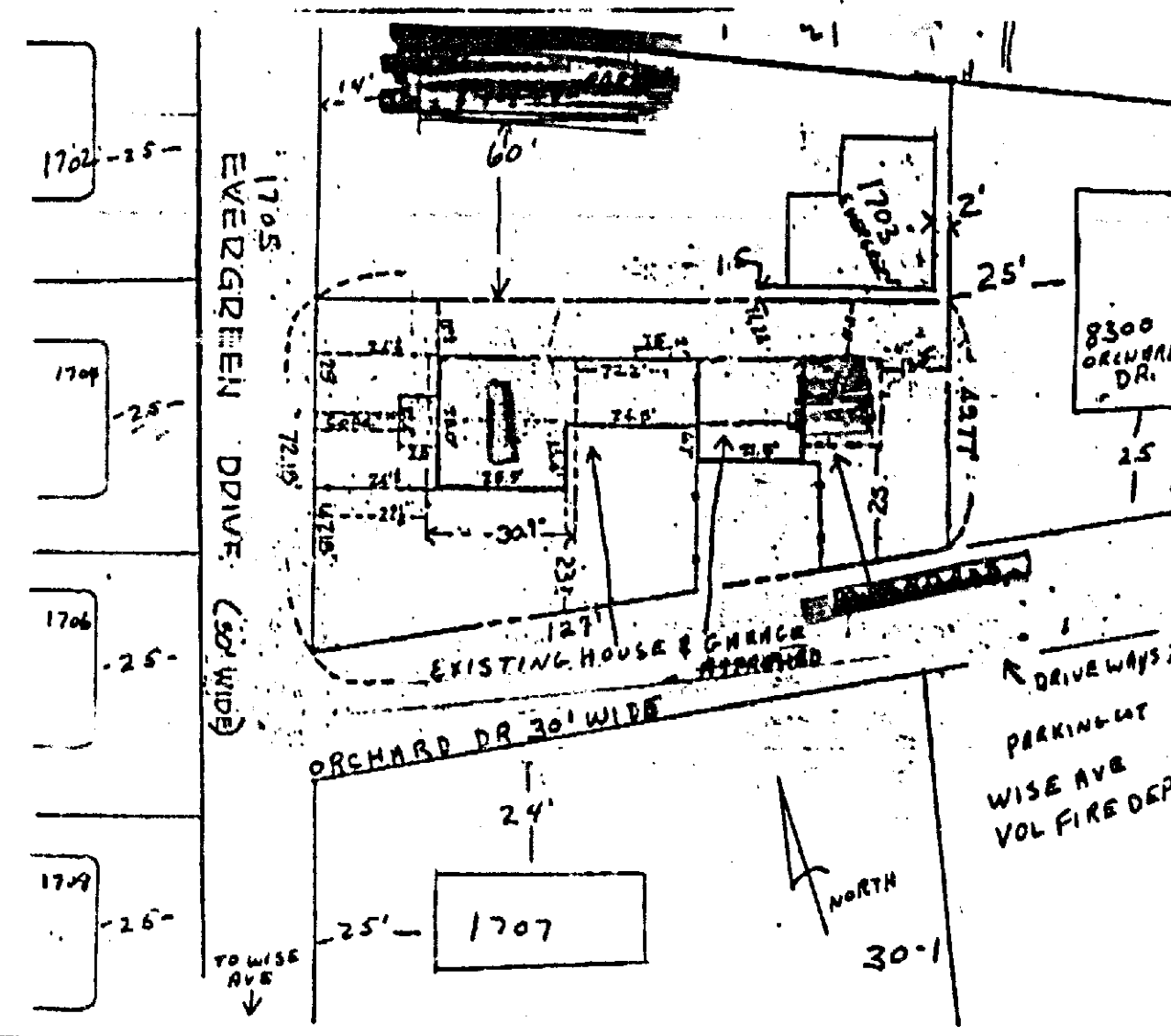
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I have no objections to Mr. MORRIS'S plans to build a workshop on the side of his existing garage

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Joseph D. Morris
File

Mr. & Mrs. John Butler
JOHN L. BUTLER
1705 Evergreen Dr.
Baltimore Md. 21222



Baltimore County
Office of the Building Engineer
TOWSON, MARYLAND 21204

1705 EVERGREEN DR
JOSAPH D. MORRIS
1705 EVERGREEN DR 21222
OWNER
OWNER
OWNER

TYPE OF IMPROVEMENT
ADD 2ND STORY TO WORK SHOP
FOR RIDGE TRAILS - NO. 10321111
SOL. 22. 13.0
F.F. 22. 9.4
L.F.F. 22. 10.4

TYPE OF WASTE DISPOSAL
PRIVATE SYSTEM
TYPE OF WATER SUPPLY
PUBLIC SYSTEM

White-Permit Green-Inspector, Canary-Assessments
IMPROVED-- CLASS

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

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1705 Evergreen Dr.
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